

CHAPTER 232

PUBLIC LOCAL GRAIN WAREHOUSES

232.02 Licenses; regulation.

232.06 Grain received for storage; receipt.

232.02 LICENSES; REGULATION.

Subdivision 1. Any person, firm, or corporation, operating a public or private local grain warehouse shall be licensed to buy grain annually by the department. Application for license must be filed with the department and the license issued before transacting warehouse business. The fee shall be \$35 for each private local grain warehouse license issued and a license shall be required for each warehouse operated. Licenses shall expire annually on June 30.

Subd. 2. Any person, firm or corporation operating a public local grain warehouse shall be licensed annually by the department; the license shall cover both the buying and storing of grain. Application for the license must be filed with the department and the license issued before the licensee may either buy or store grain. All licenses shall expire annually on June 30. The fee for the issuance of the license shall be as follows: for all warehouses under 100,000 bushels capacity -- \$40; if the capacity is 100,000 bushels or over but under 500,000 bushels -- \$60; if the capacity is 500,000 bushels or over -- \$75. The fees collected under this section shall be paid into the state treasury and credited to the general fund. A license shall be revocable by the department for cause upon notice and hearing. All licenses, grade rules, and all rules regulating public or private local grain warehouses shall, upon receipt thereof by the warehouseman, be posted in a protected place in the driveway to the warehouse.

Subd. 3. Any person, firm, or corporation, other than a licensed warehouseman, who shall purchase grain from the owner thereof for the purpose of resale shall first procure a license therefor from the department before transacting such business and shall be subject to the same laws, rules, and regulations as may govern local grain warehousemen insofar as they may apply. The fee for each such buyer's license shall be \$25. All licenses shall expire annually on June 30. Truck grain buyers using trucks or tractor-trailer units shall obtain a separate license for each truck or tractor-trailer unit used in such grain buying. Before any license shall be issued the applicant therefor shall file with the department a bond to the state with a corporate surety, approved by the department, in a penal sum to be prescribed by the department, but not less than \$3,000 for each such truck and not less than \$5,000 for each tractor-trailer unit used in grain buying, conditioned that the applicant will pay upon demand to the owner the purchase price of the grain. The bond is to provide coverage or security for the protection of the public required with respect to truck grain buyers, regardless of whether the motor vehicles used by the licensee are specifically licensed as required by this section.

[For text of subds 4 to 9, see M.S.1980]

History: 1981 c 356 s 332-334

232.06 GRAIN RECEIVED FOR STORAGE; RECEIPT.

Subdivision 1. **Discrimination prohibited; contract for storage.** Every person, firm, or corporation operating a public local grain warehouse licensed to store grain shall receive for storage, so far as the capacity of the warehouse will permit, all grain tendered him, without discrimination of any kind; provided the grain is

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sound and in a warehouseable condition. Upon delivery of grain for storage a legal warehouse storage receipt, authorized by the department, shall be issued to the owner or the owner's agent which shall state the place and date when the grain was received, the name of the owner of the grain, the kind and grade of the grain according to the official terms established by the Minnesota board of grain standards, or by the Secretary of Agriculture of the United States, the gross weight, dockage and net weight of the grain as per Minnesota standard weight.

Charges for receiving, insuring, handling, storing and redelivering grain must be posted in a prominent place in the warehouse and filed with the Minnesota department of agriculture.

Each legal warehouse storage receipt shall contain either on its face or reverse side the following specific warehouse and storage contract:

This grain is received, insured and stored through the date of the expiration of the annual licenses of this warehouse and terms expressed in the body of this receipt shall constitute due notice to the holder thereof of the expiration of the storage period. It shall be unlawful for any person, firm, association or corporation to charge or collect a greater or lesser amount than the one filed with the department. All charges shall be collected by the warehouseman upon presentation of the storage receipt for the sale or delivery of the grain represented by the receipt, or the termination of the storage period. This grain has been received and stored with grain of the same lawful grade. Upon the return of this receipt and payment or tender of all charges accrued up to the time of return of this receipt, the above amount, kind and grade of grain will be delivered within the time prescribed by law to the person above named or his order either from this warehouse, or if the owner so desires, from any licensed and bonded warehouse within this state.

[For text of subds 2 to 7, see M.S.1980]

History: 1981 c 261 s 15